

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Panchayat Raj & Rural Development Department – Allegation of corruption against Sri Shaik Ahmed, Assistant Engineer, Office of the Deputy Executive Engineer, Panchayat Raj, Haliya, Miryalaguda, Nalgonda District - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges –Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.1726

Dated:04.11.2013

ORDER:

It is proposed to hold an enquiry against Sri Shaik Ahmed, Assistant Engineer, Office of the Deputy Executive Engineer, Panchayat Raj, Haliya, Miryalaguda, Nalgonda District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of article of charge is enclosed as Annexure-II. A list of witnesses by whom and a list of documents by which the articles of charges is proposed to be sustained are also enclosed as Annexure-III and IV.
3. Sri Shaik Ahmed, Assistant Engineer, Office of the Deputy Executive Engineer, Panchayat Raj, Haliya, Miryalaguda, Nalgonda District is directed to submit within ten (10) days of the receipt of this order, a Written statement of defense. He is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.
4. Sri Shaik Ahmed, Assistant Engineer, Office of the Deputy Executive Engineer, Panchayat Raj, Haliya, Miryalaguda, Nalgonda District is further informed that if he does not submit his written statement of defense within the stipulated period specified in para (3) above, further action will be processed based on the material available.
5. Attention of Sri Shaik Ahmed, Assistant Engineer, Office of the Deputy Executive Engineer, Panchayat Raj, Haliya, Miryalaguda, Nalgonda District, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.
6. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

Sri Shaik Ahmed, Assistant Engineer, O/o Dy. Executive Engineer, Panchayat Raj, Haliya, Miryalaguda, Nalgonda District through the Engineer-in-Chief, Panchayat Raj, Hyderabad.

p.t.o...

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The Engineer-in-Chief, Panchayat Raj, Hyderabad.
(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to:

The Director General, Anti-Corruption Bureau, Hyderabad.
The Secretary to VC, APVC, Hyderabad
SF/SCs

// FORWARDED: BY ORDER //

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK AHMED, ASST. ENGINEER, O/O DY.EXECUTIVE ENGINEER, HALIYA, MIRYALAGUDA, NALGONDA DISTRICT.

ARTICLES OF CHARGES

Government Servant Sri Shaik Ahmed, S/o Late Lathif, joined service on 26-04-1982 as Work Inspector, Grade-II in Panchayat Raj Department, A.P., he worked as Work Inspector Grade-II from 26-04-1982 AN to 20-06-1991. On 20-06-1991 he was promoted as Draughts Man Grade-III. Again on 17-08-1994 he was promoted as Assistant Engineer and worked till 05-10-2010 as Assistant Engineer. As such he worked from 26.04.1982 (date of joining) to 05.10.2010 (date of searches). He has committed the following grave misconduct while working in the above said capacities during the period between 26-04-1982 and 05-10-2010.

CHARGE-I: That, the Government Servant failed to obtain prior permission from the competent authority to purchase or to dispose of immovable and movable properties in his name and in the name of his dependent family members. Thus violated rule 9 (1) & (2) of APCS (Conduct) Rules -1964.

CHARGE-II: That, the Government servant failed to submit his annual property returns during his entire service period. Thus, violated rule 9 (7) of APCS (Conduct) Rules-1964.

CHARGE-III: That, the Government servant failed to furnish his statement of all immovable and movable properties (in proforma I to VI) even after asked to submit by his competent authority. Thus, violated rule 9(8) of APCS (Conduct) Rules -1964.

Thus, Shaik Ahmed, S/o Late Latif by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby violated Rule 9(1) &(2), 9 (7) and 9(8) and rule 3(1) & (2) of APCS (Conduct) Rules, 1964.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI SHAIK AHMED, ASSISTANT ENGINEER, O/O DY.EXECUTIVE ENGINEER, HALIYA, MIRYALAGUDA, NALGONDA DISTRICT.

Sri Shaik Ahmed, S/o Late Lathif joined service on 26-04-1982 as Work Inspector Grade-II in Panchayat Raj Department, A.P., he worked as Work Inspector Grade-II from 26-04-1982 AN to 19-06-1991. On 20-06-1991 he was promoted as Draughts Man Grade-III. Again on 17-08-1994 he was promoted as Asst. Engineer and worked till 05-10-2010. As such he worked from 26-04-1982 (date of joining) to 05-10-2010 (date of searches). He has committed grave misconduct while working in the above said capacities during the period between 26-04-1982 and 05-10-2010. His date of attaining the age of superannuation is 30.04.2019. He is here-in-after referred to as Government Servant.

That on 05.10.2010 at about 12.15 P.M. the G.S. Sri Shaik Ahmed, S/o Late Lathif, age 48 yrs, Asst. Engineer, O/o the Dy. Executive Engineer, Haliya, Miryalaguda, Nalgonda District R/o H.No.18-1403, Ashok Nagar, Miryalaguda, Nalgonda District was caught red handed, when he demanded and accepted bribe of Rs. 1,00,000/- from the complainant Sri Nukala Shekar Reddy in Cr.No.21/CIU-ACB-HYD/2010 U/s 7 of the P.C. Act, 1988. During the course of investigation, residential house of Accused Officer Sri Shaik Ahmed, Asst. Engineer, R/o H.No.18-1403, Ashok Nagar, Miryalaguda, Nalgonda District was searched on 05.10.2010 U/s 165 Cr. P.C. from 13.00 hrs to 17.00 hrs and seized several incriminating documents pertaining to assets, income and expenditure of Accused Officer in the presence of mediators.

Scrutiny of the made up files seized at his house revealed that Sri Shaik Ahmed, S/o Late Latif, age 48 yrs, Assistant Engineer, O/o Dy.Executive Engineer Haliya, Miryalaguda, Nalgonda District, R/o H.No.18-1403, Ashok Nagar, Miryalaguda, Nalgonda District had acquired assets disproportionate to the known sources of his income, after calculating probable income derived by him from all the legal sources and probable expenditure incurred by him. The Joint Director (CIU&SES), Ant-Corruption Bureau, permitted to register and investigate a case U/s 13(2) r/w 13(1) (e) of the P.C. Act-1988 vide proceedings No.22/RCA-CIU/2010, Dt.13.10.2010 of the Joint Director, CIU & SES, ACB, Hyderabad. Accordingly a case in Cr.No.22/ACB-CIU-HYD/2010 U/Sec. 13(2) r/w 13(1)(e) of PC Act 1988 was registered on 13-10-2010.

During the course of investigation, in response to the letter of investigating Officer the Engineer-in-Chief, Panchayat Raj Department, Hyderabad, through his Lr.No.Vig.6/9728/2011, dated 21-01-2011 furnished information that, Sri Shaik Ahmed failed to obtain prior permission for purchase of immovable properties and movable properties.

The following properties are acquired by Sri Shaik Ahmed and his dependent family members without prior permission from the competent authority.

IMMOVABLE PROPERTIES HELD IN THE NAME OF A.O. (SHAIK AHMED)

Sl. No.	Name and particulars of property	Held in the name of	Remarks
1	Purchased an Agricultural land Ac.2-00 gts, in Sy.No.290, Tungapahad, Miryalaguda	Sri Shaik Ahmed	Sri Shaik Ahmed acquired this property in his name executed by vendor Sri Anusuri Satynanarayana

	Doct.No.1682/2010 of S.R.O. Miryalaguda.		vide Doct.No.1682/2010 of S.R.O. Miryalaguda without taking prior permission from the competent authority.
2	Purchased an Agricultural land of Ac.2-24 gts, in Sy.No.339/A, 340, 341/A, 342, Tungapahad, Miryalaguda vide Doct.No.2089/2002 of S.R.O. Miryalaguda.	Sri Shaik Ahmed	Sri Shaik Ahmed acquired this property in his name executed by vendor Sri Kondeti Satyanarayana vide Doct.No.2089/2002 of S.R.O., Miryalaguda without taking prior permission from the competent authority.
3	Purchased a plot No.2 to 8 admeasuring 497 Sq. Yards in Sy. No.32, Kesirajpally (V), Tippurthy (M), Nalgonda District Vide Doct.No.5805/2002 of Jt-Sub Registrar-1, R.O., Nalgonda	Sri Shaik Ahmed	Sri Shaik Ahmed acquired this property in his name executed by vendor Sri Syed Ilias Ahmed and Mohd. Basheeruddin vide Doct.No.5805/2002 of Jt-Sub Registrar -1, Nalgonda without taking prior permission from the competent authority.

IMMOVABLE PROPERTIES HELD IN THE NAME OF A.O's. WIFE (SMT. SADIQUA BEGUM)

S.No.	Name and particulars of property	Held in the name of	Remarks
1	Purchased a H.No.18-116/41/12, extent 184 Sq. Yards, Ashok Nagar, Miryalaguda vide doct. No. 1382/1998 of SRO Miryalaguda and constructed 1 st floor and pent house.	Smt. Sadiqua Begum	Sri Shaik Ahmed acquired this property in the name of his wife executed by vendor Sri Mohd. Masoom Khan vide Doct.No.1382/1998 of S.R.O. Miryalaguda without taking prior permission from the competent authority.
2	Purchased a plot admeasuring 484 Sq. yards in Sy.No.832, Raghavendra Nagar, Miryalaguda vide Doct.No.1163/2010 of S.R.O, Miryalaguda.	Smt. Sadiqua Begum	Sri Shaik Ahmed acquired this property in the name of his wife executed by vendor Sri Nandyala Shekar Reddy vide Doct.No.1163/2010 of S.R.O., Miryalaguda without taking prior permission from the competent authority.
3	Purchased a H.No.18-12-418/10/1/B/20/1/A, Hafiz Baba nagar, Hyderabad with extent 200 Sq.yards, at Hafiz Baba Nagar, Hyderabad vide Doc.No.1796/2006 of S.R.O., Azampura, Hyderabad.	Smt. Sadiqua Begum	Sri Shaik Ahmed acquired this property in the name of his wife executed by vendor Smt. Ahmed Begum vide Doct. No.1796/2006 of SRO, Miryalaguda without taking prior permission from the competent authority.

4	Purchased a plot admeasuring 242 Sq. yards in Sy.No.854, Railway station Road, Miryalaguda vide Doct.No.3881/2000 of S.R.O, Miryalaguda	Smt. Sadiqua Begum	Sri Shaik Ahmed acquired this property in the name of his wife executed by vendor Sri Mohd. Sadiq Ali vide Doct. No.3881/2000 of SRO, Miryalaguda without taking prior permission from the competent authority.
5	Purchased 196.66 Sq.Yards share (out of total 449 Sq.yds) in the house bearing No.5-9-389 (Old No.5-7-25/A) situated at Manyam Chalka, Nalgonda vide Doct.No.1253/1991, 1267/1991 of Jt. Sub-Registrar, R.O. Nalgonda, and O.S.No.553/1991 of Hon'ble District Munif, Nalgonda.	Smt. Sadiqua Begum	Sri Shaik Ahmed acquired this property in the name of his wife executed by vendor Sri Busireddy Ram Reddy and Smt. Busireddy Sujatha vide Doct. No.1253/1991, 1267/1991 of Jt. Sub-Registrar, R.O., Nalgonda and O.S.No.553/1991 of Hon'ble District Munif, Nalgonda without taking prior permission from the competent authority.
6	Gold ornaments found at the time of searches in the house of A.O's H.No.18-1403, Ashok nagar, Miryalaguda, Nalgonda District, mentioned in the inventory vide Sl.No.6, 9 and 10.	Sl.No. 6 – 2005 Sl.No. 9 – 2000 Sl.No. 10 – 2005 (Shaik Ahmed/ A.O)	35,000=00 35,000=00 25,000=00
7	Amount Invested in 15 Kisan Vikas Patra's each Rs,10,000/-, at Sub-Post Master, NSP Camp, Miryalaguda in the name of A.O., his son Mr.Asrar Ahmed and daughter Ms. Rafath Fathima on 12-05-2006. (Initially they were purchased on 17-08-1999 for Rs.75,000/-)	73 CD 670589 (A.O) 73 CD 670590 (A.O) 73 CD 670591 (A.O) 73 CD 670577 (Son) 73 CD 670578 (Son) 73 CD 670579 (Son) 73 CD 670580 (Son) 73 CD 670581 (Son) 73 CD 670582 (Son)	75,000=00 (Though as per the KVPs available the total W/Rs.1,50,000/-, as per the Lr.No. SO/NSPCamp/kvp/2011, dated 11-11-2011 the amount initially invested by the A.O. on 17-08-1999 is Rs.75,000/- only)

		73 CD 670583 (Daughter) 73 CD 670584 (Daughter) 73 CD 670585 (Daughter) 73 CD 670586 (Daughter) 73 CD 670587 (Daughter) 73 CD 670588 (Daughter)	
8	Amount invested in a special term deposit on 21-09-1995 vide receipt No.0857159 bearing A/c No.01290007513 found at State Bank of Hyderabad, ADB-Miryalaguda Branch in the name of A.O's wife Smt. Sadequa Begum.	Smt. Sadequa Begum (A.O's. wife)	50,000=00 (Lr.No.F/ACB/225, dt:08-11-2011 enclosed with the explanation of A.O. Lr.No.F/ Deposits/97, dt.01-08-2011 of Chief Manager, SBH, ADB, Miryalaguda speaks that the amount initially invested by the A.O. is Rs.50,000/- only.)

Thus, the Government Servant by his above mentioned acts has exhibited lack of integrity and lack of devotion to duty, conduct unbecoming of Government Servant and thereby violated Rule 9 (1) & (2) of APSCS (Conduct) Rules 1964.

The Engineer-in-Chief, Panchayat Raj Department, Hyderabad, through his Lr.No.Vig.6/9728/2011, dated 21-01-2011 also furnished information that, Sri Shaik Ahmed failed to submit annual property returns during his service i.e., from 26-04-1982 to 05-10-2010.

Thus, the Government Servant by this above mentioned acts has exhibited lack of integrity and lack of devotion to duty, conduct unbecoming of Government Servant and thereby violated Rule 9(7) and contravened 3(1) & (2) of APCS (Conduct) Rules 1964.

During the course of investigation, letter has been addressed to the Engineer-in-Chief, Panchayat Raj Department, Hyderabad with a request to obtain the proforma statements I to VI from Sri Shaik Ahmed duly filed in by him and furnish the same to the investigation officer for the purpose of investigation. The Engineer-in-Chief, Panchayat Raj Department, Hyderabad, informed vide Lr.No.Vig.6/9728/2011, dated 21-01-2011. That the accused officer Sri Shaik Ahmed has not submitted his property proforma statements in proforma I to VI.

Thus, the Government Servant by his above mentioned acts has exhibited lack of integrity and lack of devotion to duty, conduct unbecoming of Government Servant and thereby violated Rule 9 (8) and contravened 3(1) & (2) of APCS (Conduct) Rules 1964.

The Government Servant therefore rendered himself liable for regular departmental action for major penalty.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE -III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK AHMED, ASSISTANT ENGINEER, O/O DY.EXECUTIVE ENGINEER, HALIYA, MIRYALAGUDA, NALGONDA DISTRICT ARE PROPOSED TO BE SUSTAINED.

- 1) Sri B. Shyambabu, Engineer-in-Chief, Panchayat Raj Department, Hyderabad.
- 2) Sri M. Devanand, Sub-Registrar, Miryalaguda, Nalgonda District.
- 3) Sri Ramesh Reddy, Sub-Registrar, Azampura, Hyderabad.
- 4) Sri Gulam Dastagir, Joint Sub-Registrar-1, R.O., Nalgonda.
- 5) Sri P. Sirish Kumar, Chief Manager, SBH, ADB, Miryalaguda.
- 6) Sub-Post Master, NSP Camp, Miryalaguda.
- 7) Sri Singirikonda Raghunath, S/o Lachaiah, age 47 yrs. Occ. Dy. Tahsildar,Nidmanoor acting as Division Admn. Officer, (FAC) RDO's Office, Miryalaguda, R/o H.No.10-68, Sitharampuram Street, Miryalguda Town, Nalgonda District. (Mediator of the Inventory proceedings).
- 8) Sri Ramavath Mangya Naik, S/o Pathya Naik, age 44 yrs, Occ. Mandal Education Officer, Miryalguda Mandal, R/o H.No.6-662, Ramnagar, Miryalguda Town, Nalgonda District (Mediator of the Inventory proceedings)
- 9) Sri K. Srinivas, Inspector of Police, Anti-Corruption Bureau, CIU, Hyderabad.
- 10) Sri K. Satyanarayana, Inspector of Police, Anti-Corruption Bureau, CIU, Hyderabad.
- 11) Any other witness will be produced at the time of enquiry, if required.

V. NAGI REDDY
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ANNEXURE -IV

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK AHMED, ASSISTANT ENGINEER, O/O DY.EXECUTIVE ENGINEER, HALIYA, MIRYALAGUDA, NALGONDA DISTRICT ARE PROPOSED TO BE SUSTAINED.

- 1) Lr.No.Vig.6/9728/2011, dated 21-01-2011 of Engineer-in-Chief, Panchayat Raj Department, Hyderabad.
- 2) Copy of Doct.No.1796/2006 of S.R.O., Azampura, Hyderabad.
- 3) Copies of Doct. No.1382/1999, 3881/2000, 2089/2002, 1163/2010 and 1682/2010 of S.R.O. Miryalaguda.
- 4) Copies of Doct.No.1253/1991, 1267/1991, 5805/2002 of Jt.Sub-Registrar-1, R.O. Nalgonda,
- 5) Copy of O.S.No.553/1991 of Hon'ble District Munif, Nalgonda.
- 6) Copy of sale agreement dt:07-05-1991 (seized vide MF No.1, page Nos. 21 & 74)
- 7) Copy of O.S.No.553/1991 of Hon"ble District Munif, Nalgonda.
- 8) Inventory Proceedings dated 05-10-2010 drafted at H.No.18-1403, Ashok Nagar, Miryalaguda, Nalgonda District (House of the A.O.).
- 9) Copies of the Kisan Vikas Patras bearing Nos. 73 CD 670589, 73 CD 670590, 73 CD 670591, 73 CD 670577, 73 CD 670578, 73 CD 670579, 73 CD 670580, 73 CD 670581, 73 CD 670582, 73 CD 670583, 73 CD 670584, 73 CD 670585, 73 CD 670586, 73 CD 670587, 73 CD 670588.
- 10) Lr.No.NSPcap/KVPs/Information/11-12, dated 19-07-2011 and 11-11-2011 of Sub-Post Master, NSP Camp, Miryalguda.
- 11) Copies of the Lr.No.F/ACB/225, dt:08-11-2011 enclosed with the explanation of A.O. Lr.No.F/ Deposits/97, dt:01-08-2011 of Chief Manager, SBH, ADB, Miryalaguda.
- 12) Any other document will be produced at the time of enquiry if required.

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